



We are proposing to revise our regulations for the importation, interstate movement, and environmental release of certain genetically engineered (GE) organisms. These changes will align the regulations with provisions of the Plant Protection Act (PPA) of 2000. The proposed revisions to the regulations are based on our accumulated experience in implementing the current regulations and reflect advances in genetic science and technology.

Plant Protection Act of 2000

The PPA gives APHIS the authority to prohibit or restrict the importation, interstate movement, or environmental release of any plant, plant product, biological control organism, noxious weed, article, or means of conveyance to prevent the introduction or dissemination of a plant pest or noxious weed.

GE Organisms Subject to Regulation

Under the proposed rule, certain GE organisms would be subject to the regulations if they could pose a plant pest or noxious weed risk.

While most GE organisms are unlikely to pose any significant plant pest or noxious weed risk, APHIS believes that all GE organisms within the proposed scope should at least be initially evaluated for such risks. As discussed in other posters, the proposed regulatory system uses a number of flexible mechanisms to quickly evaluate GE organisms and proportionately tailor regulatory oversight to the actual risk. Persons who are unsure whether a GE organism falls within the scope of regulation are encouraged to consult with APHIS.



Plant pests are organisms, such as pathogens and insect pests, that can harm plants and plant products.



Noxious weeds, such as this hydrilla, are plants that can harm agriculture, public health, or other aspects of the environment.

Proposed Scope

Genetically engineered plants if:

- (i) the unmodified parent plant from which the GE plant was derived is a plant pest or noxious weed, or
- (ii) the trait introduced by genetic engineering could increase the potential for the GE plant to be a plant pest or noxious weed, or
- (iii) the risk that the GE plant poses as a plant pest or noxious weed is unknown, or
- (iv) the Administrator determines that the GE plant poses a plant pest or noxious weed risk.

Genetically engineered non-plant, non-vertebrate organisms if:

- (i) the recipient organism can directly or indirectly injure, cause damage to, or cause disease in plants or plant products; or
- (ii) the GE organism has been engineered in such a way that it may increase the potential for it to be a plant pest; or
- (iii) the risk that the GE organism poses as a plant pest is unknown; or
- (iv) the Administrator determines that the GE organism poses a plant pest risk.